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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 United States of America,

10 Plaintiff,

11 v.

12 Gabriel Villar-Delgado,

13 Defendant.
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NO. CR-15-01541-001-PHX-DGC

**ORDER OF DETENTION PENDING
DISPOSITION (PURSUANT TO
18 U.S.C. § 3143)**

15 In accordance with the Bail Reform Act, 18 U.S.C. § 3143, a detention hearing was
16 submitted on 10/4/2016. Defendant was present and was represented by counsel. The
17 defendant has not rebutted by clear and convincing evidence that he is not likely to flee if
18 released.

19 **FINDINGS OF FACT**

I find by a preponderance of the evidence that:

20 ☒ The defendant is not a citizen of the United States or lawfully admitted for
21 permanent residence.

22 ☒ The defendant, at the time of the charged offense, was in the United States
23 illegally.

24 ☐ If released herein, the defendant faces removal proceedings by the Bureau of
25 Immigration and Customs Enforcement, placing him/her beyond the jurisdiction of this
26 Court and the defendant has previously been deported or otherwise removed.

27 ☐ The defendant has no significant contacts in the United States or in the District of
28 Arizona.

☐ The defendant has no resources in the United States from which he/she might
make a bond reasonably calculated to assure his/her future appearance.

☒ The defendant has a prior criminal history.

- The Court incorporates by reference the material findings of the Pretrial Services Agency which were reviewed by the Court at the time of the hearing in this matter, except as noted in the record.

1. There is a serious risk that the defendant will flee.
2. No condition or combination of conditions will reasonably assure the appearance of the defendant as required.

The defendant is committed to the custody of the Attorney General or his/her designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

IT IS ORDERED that should an appeal of this detention order be filed with the District Court, it is counsel's responsibility to deliver a copy of the motion for review/reconsideration to Pretrial Services at least one day prior to the hearing set before the District Court.

DATE: 10/4/2016

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